Mr. K. S. Panicker *(Ezhuvas-Mukundapuram)*: I accept the amendment.

Amendment put and carried.

Cl. 2, put and carried.

Cl. I, put and carried.

Title & Preamble put and carried.

The Cochin Verumpattamdars Act (Amendment) Bill—Rao Sahib K. Ayyappan

Rao Sahib K. Ayyappan *(Ezhuvas-Kanayannur)*: Sir, I move for leave to introduce the Cochin Verumpattamdars Act (Amendment) Bill.

Mr. C. V. Iyyu *(Kunnamkulam)*: I second it.

Motion put and carried

The Cochin Municipal Act (Amendment) Bill—Mr. C. V. Iyyu

Mr. C. V. Iyyu *(Kunnamkulam)*: Sir, I beg leave of the House to introduce the Cochin Municipal Act (Amendment) Bill.

Mr. K. T. Achyuthan *(Ezhuvas-Talappalli)*: I second it.

Motion put and carried

RESOLUTIONS

Resolution No. 1

Municipal Chairman—standing for electon for the Legislative Council

Mr. George Panikulam *(Irinjalakkuda)*: Mr. President, Sir, I rise to move the following resolution for the acceptance of the Hon'ble Council.

"This Council recommends to the Government that it may be provided that a Municipal Chairman should resign his Chairmanship, if he wants to stand for Legislative Council election in the same constituency in which the Municipality is situated."

I do not think that any elaborate comment is necessary on my part in introducing this resolution, since the object is self evident. The House knows very well what a tremendous handicap a candidate for election will be subject to if his rival is the Municipal Chairman with all the influence which he can wield as Chairman in the same constituency. This is quite unjust and unfair as I may assure the House from my personal experience in the recent bye-election at Irinjalakkuda. Of course, it is true that I won the election.

But it has to be said that he used all his influence as a Chairman with executive powers. Even in his wall-posters, his request was to vote for so and so, who is the Municipal Chairman. I may in this connection invite the attention of this Hon'ble House to a few passages in the report of the Commissioners in the election case between ex-M.L.C. Mr. Kannu Pillai and our Hon'ble Member for Mattancheri Mr. Salem, who won that case against Mr. Kannu Pillai, who was the Chairman.

".....It is contended that as the Chief Executive Officer he could manipulate the voters' list in a manner favourable to himself, that, being vested with plenary discretion in the matter of issuing, revising and cancelling licenses to persons carrying on various trades, he can exercise an illegitimate and undue influence on the votes of such persons, that he can with the help of a large number of Sanitary Inspectors, Maistries and Bill-collectors, etc., influence the election and interfere with the free exercise of franchise in manifold ways, rules and restrictions against such utilisation notwithstanding. By the appointment of Commissioners under the new Municipal Act, the Chairman is in a way short of much of his executive powers, all the same his official influence over the Municipal machinery and in the Municipal area continues. These are in our opinion very cogent reasons why a Municipal Chairman who is also a Registration Officer and Chairman of the Revising Authority and who is the head of the hierarchy of Municipal officers should not be exempted from the general disqualification attaching to officers. We hope that the Government will pay due heed to the force of this criticism and effect suitable amendment in the Statute and the Rules.....".

I do not want to go into further details. I appeal to the good will of the Hon'ble Members and request them to support this resolution in the interests of justice and fair-play for the sake of future competitors at the elections.

One point which may be put forward against passing this resolution is that in British and Travancore there is no objection now for such Chairman to stand for Legislative Council election. But there is no harm in Cochin taking a leading step in this, as it has done in several other good things, especially in view of the unanimous finding of the Commissioners read by me before the Council.

I therefore commend this resolution to the good sense of the House.

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